

Tarun Rishi
S/o Sh. Varinder Rishi,
B-34-10897, Street No. 05,
Raghuvir Park, Haibowal Kalan,
Ludhiana - 141001(Punjab)

....Appellant

V/s

Public Information Officer,
O/o The Secretary
to Government. of Punjab,
Deptt. of Local Government,
Municipal Bhawan, Sector 35 - A,
Plot No. 03, Chandigarh

First Appellate Authority,
O/o The Principal Secretary
to Government. of Punjab,
Deptt. of Local Government,
Municipal Bhawan, Sector 35 - A,
Plot No. 03, Chandigarh

...Respondents

Appeal Case No. 2404 of 2021

Present : None on behalf of the appellant.
Ms. Sandeep Kaur, Senior Assistant, LG – III Branch, on behalf of the respondent.

ORDER

Heard in the Commission.

The RTI request is dated 01.10.2020. First appeal is dated 17.12.2020. Second appeal has been received in the Commission on 20.05.2021.

On the last date of hearing, held on 09.02.2022,

- i) The respondent PIO concerned was directed to supply the certified copies of the complete information or send a reply in an affidavit to the appellant with a copy to the Commission ;
- ii) An opportunity was given to the appellant to confirm whether he received the information and also to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO so that the same could be removed.

The appellant, Sh. Tarun Rishi is not present in today's hearing and through a letter dated 17.05.2022, which has been received in the Commission through an e-mail, has intimated the Commission that no information has been given to him by the respondent PIO till date. He also intimated the Commission that he is unable to attend today's hearing and requested for an adjournment in this case. It is taken on record.

Ms. Sandeep Kaur, Senior Assistant, LG – III Branch, who appeared on behalf of the respondent PIO in today's hearing, submits a reply, signed by Superintendent-cum-PIO of LG – III Branch vide letter no. 1246 dated 25.05.2022, intimating that he is unable to attend today's hearing personally with the request for an adjournment in this case. It is taken on record.

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Nevertheless, another opportunity is given to the respondent PIO concerned to comply with the orders dated 09.02.2022 by supplying the certified copies of the required information to the appellant as per queries raised by him through RTI request through registered post and if any information, to any query/queries raised by the appellant through RTI request, is not available or not maintained in the official record, he/she (respondent-PIO concerned) will send a reply, in writing, to the particular query/queries, mentioning that no other information is in his possession other than provided and send the same to the appellant through registered post as well as to the Commission, by the next date of hearing.

An opportunity is also given to the appellant to confirm whether he has received the information/reply or not and also to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO well in time so that the same could be removed by the respondent concerned and also send a copy of the same to the Commission.

Another opportunity is also given to both the parties to represent this case in person or through their representative on the next date fixed or the case would be decided on merits.

The case is adjourned to 23rd November, 2022 (Wednesday) at 11:00 A. M. for hearing.

Copies of the orders be sent to the parties.

Date 25th May, 2022

(Sanjiv Garg)
State Information Commissioner
Punjab

Tarun Rishi
S/o Sh. Varinder Rishi,
B-34-10897, Street No. 05,
Raghuvir Park, Haibowal Kalan,
Ludhiana - 141001(Punjab)

....Appellant

V/s

Public Information Officer,
O/o The Secretary
to Government. of Punjab,
Deptt. of Local Government,
Municipal Bhawan, Sector 35 - A,
Plot No. 03, Chandigarh

First Appellate Authority,
O/o The Principal Secretary
to Government. of Punjab,
Deptt. of Local Government,
Municipal Bhawan, Sector 35 - A,
Plot No. 03, Chandigarh

...Respondents

Appeal Case No. 2403 of 2021

Present : None on behalf of the appellant.
Ms. Sandeep Kaur, Senior Assistant, LG – III Branch, on behalf of the respondent.

ORDER

Heard in the Commission.

The RTI request is dated 01.10.2020. First appeal is dated 17.12.2020. Second appeal has been received in the Commission on 20.05.2021.

On the last date of hearing, held on 09.02.2022,

- i) The respondent PIO concerned was directed to supply the certified copies of the complete information or send a reply in an affidavit to the appellant with a copy to the Commission ;
- ii) An opportunity was given to the appellant to confirm whether he received the information and also to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO so that the same could be removed.

The appellant, Sh. Tarun Rishi is not present in today's hearing and through a letter dated 17.05.2022, which has been received in the Commission through an e-mail , has intimated the Commission that no information has been given to him by the respondent PIO till date. He also intimated the Commission that he is unable to attend today's hearing and requested for an adjournment in this case. It is taken on record.

Ms. Sandeep Kaur, Senior Assistant, LG – III Branch, who appeared on behalf of the respondent PIO in today's hearing, submits a copy of reply, signed by Superintendent-cum-PIO of LG – III Branch vide letter no. 1246 dated 25.05.2022, intimating that he is unable to attend today's hearing personally with the request for an adjournment in this case . A copy of the same is taken on record.

Nevertheless, another opportunity is given to the respondent PIO concerned to comply with the orders dated 09.02.2022 by supplying the certified copies of the required information to the appellant as per queries raised by him through RTI request through registered post and if any information, to any query/queries raised by the appellant through RTI request, is not available or not maintained in the official record, he/she (respondent-PIO concerned) will send a reply, in writing, to the particular query/queries, mentioning that no other information is in his possession other than provided and send the same to the appellant through registered post as well as to the Commission, by the next date of hearing.

An opportunity is also given to the appellant to confirm whether he has received the information/reply or not and also to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO well in time so that the same could be removed by the respondent concerned and also send a copy of the same to the Commission.

Another opportunity is also given to both the parties to represent this case in person or through their representative on the next date fixed or the case would be decided on merits.

The case is adjourned to 23rd November, 2022 (Wednesday) at 11:00 A. M. for hearing.

Copies of the orders be sent to the parties.

Date 25th May, 2022

(Sanjiv Garg)
State Information Commissioner
Punjab

Narender Kumar Bitta
S/o Sh. Rai Sahib,
H. No. 2438-A, Street No. 02,
SriGuru Nanak Nagar,
Near 16 Acre, Barnala(Punjab)

....Appellant

V/s

Public Information Officer,
O/o The Block Development
and Panchayat Officer,
Bhiwanigarh, Distt. - Sangrur(Punjab)

First Appellate Authority,
O/o District Development
and Panchayat Officer,
Sangrur(Punjab)

...Respondents

Appeal Case No. 4237 of 2021

Present : None on behalf of the appellant.
None on behalf of the respondent.

ORDER

Heard in the Commission.

The RTI request is dated 16.03.2021. First appeal is dated 25.05.2021. Second appeal has been received in the Commission on 16.09.2021.

On the last date of hearing, held on 17.02.2022 ;

- i) The respondent PIO through a reply vide letter no. 21 dated 25.01.2022 signed by PIO-cum- Block Development and Panchayat Officer, Bhiwanigarh, through an e-mail, has intimated the Commission that Area of Gram Panchayat Balad Kothi is de-notified and presently it comes under the jurisdiction of Nagar Council, Bhiwanigarh.
- ii) As only forwarding letter dated 25.01.2022 was received but no copy of notification/enclosure is attached with it.
- iii) An opportunity was given to the respondent PIO concerned to send a copy of the above-said notification, showing that the information demanded through RTI request comes under the jurisdiction of Nagar Council, Bhiwanigarh, to the appellant with a copy to the Commission .

Neither the appellant, Sh. Narender Kumar Bitta nor the respondent is present in today's hearing. They have also not sent any intimation regarding their non-availability

Nevertheless, another opportunity is given to the respondent PIO concerned to comply with the orders dated 09.02.2022 by sending a copy of the above-said notification (through which Area of Gram Panchayat Balad Kothi is de-notified), showing that the information demanded through RTI request comes under the jurisdiction of Nagar Council, Bhiwanigarh, to the appellant with a copy to the Commission .

An opportunity is also given to the appellant to confirm whether he received the information/reply or not .

Another opportunity is also given to both the parties to represent this case in person or through their representative on the next date or the case would be decided on merits.

The case is adjourned to 23rd November, 2022 (Wednesday) at 11:00 A. M. for hearing.
Copies of the orders be sent to the parties.

Date 25th May, 2022

(Sanjiv Garg)
State Information Commissioner
Punjab

Narender Kumar Bitta
S/o Sh. Rai Sahib,
H. No. 2438-A, Street No. 02,
SriGuru Nanak Nagar,
Near 16 Acre, Barnala(Punjab)

....Appellant

V/s

Public Information Officer,
O/o The Block Development
and Panchayat Officer,
Bhiwanigarh, Distt. - Sangrur(Punjab)

First Appellate Authority,
O/o District Development
and Panchayat Officer,
Sangrur(Punjab)

...Respondents

Appeal Case No. 4236 of 2021

Present : None on behalf of the appellant.
None on behalf of the respondent.

ORDER

Heard in the Commission.

The RTI request is dated 16.03.2021. First appeal is dated 25.05.2021. Second appeal has been received in the Commission on 16.09.2021.

On the last date of hearing, held on 17.02.2022 ;

- i) The respondent PIO through a reply vide letter no. 21 dated 25.01.2022 signed by PIO-cum- Block Development and Panchayat Officer, Bhiwanigarh, through an e-mail, has intimated the Commission that Area of Gram Panchayat Balad Kothi is de-notified and presently it comes under the jurisdiction of Nagar Council, Bhiwanigarh.
- ii) As only forwarding letter dated 25.01.2022 was received but no copy of notification/enclosure is attached with it.
- iii) An opportunity was given to the respondent PIO concerned to send a copy of the above-said notification, showing that the information demanded through RTI request comes under the jurisdiction of Nagar Council, Bhiwanigarh, to the appellant with a copy to the Commission .

Neither the appellant, Sh. Narender Kumar Bitta nor the respondent is present in today's hearing. They have also not sent any intimation regarding their non-availability

Nevertheless, another opportunity is given to the respondent PIO concerned to comply with the orders dated 09.02.2022 by sending a copy of the above-said notification (through which Area of Gram Panchayat Balad Kothi is de-notified), showing that the information demanded through RTI request comes under the jurisdiction of Nagar Council, Bhiwanigarh, to the appellant with a copy to the Commission .

An opportunity is also given to the appellant to confirm whether he received the information/reply or not .

Another opportunity is also given to both the parties to represent this case in person or through their representative on the next date or the case would be decided on merits.

The case is adjourned to 23rd November,2022(Wednesday) at 11:00 A. M. for hearing.
Copies of the orders be sent to the parties.

Date 25th May, 2022

(Sanjiv Garg)
State Information Commissioner
Punjab

Balram
S/o Sh. Ram Narain,
Village – Dharampura,
Tehsil – Abohar,
Distt. – Fazilka (Punjab)

....Appellant

V/s

Public Information Officer,
O/o The Block Development
and Panchayat Officer,
Block Khuia Sarwar at Abohar(Punjab)

First Appellate Authority,
O/o The District Development
and Panchayat Officer,
Fazilka(Punjab)

...Respondents

Appeal Case No. 4165 of 2021

Present : Sh. Balram, the appellant in person.
None on behalf of the respondent.

ORDER

Heard in the Commission.

The RTI request is dated 18.05.2021. First appeal is dated 21.07.2021. Second appeal has been received in the Commission on 14.09.2021.

On the last date of hearing, held on 07.02.2022 ;

- i) Neither the respondent PIO nor any of his representative was present.
- ii) The appellant stated that he demanded copy of complaint dated 12.10.2019 alongwith diary number and action taken report on the said complaint alongwith Inquiry Officer's Name, Designation, Office address with Mobile Number and statements attached in the case-file but no information was given to him by the respondent PIO.
- iii) After examining the case-file, it emerged that in an early hearing, held on 23.11.2021, Sh. Harmeet Singh, Panchayat Officer, stated that the complaint dated 12.10.2019 was not found in the official record and on the same day, the appellant was directed to submit the proof i. e. Postal-receipt or Diary number, showing that complaint dated 12.10.2019 was filed in the concerned department.
- iv) Accordingly, an opportunity was given to both the parties i. e. the appellant and the respondent PIO to be present in the office of State Information Commission, Punjab so that facts of this case could be cleared.

After examining the case-file, it emerges that in a hearing, held on 23.11.2021, Sh. Harmeet Singh, Panchayat Officer, stated that the complaint dated 12.10.2019 was not found in the official record and the appellant was directed to submit the proof i.e Postal-receipt or Diary number, showing that complaint dated 12.10.2019 was filed in the concerned department.

The appellant, Sh. Balram, who appeared in person in today's hearing, states that in compliance to the orders dated 23.11.2021 and 07.02.2022, he brought a copy of letter dated 12.10.2019(on which action-taken report is demanded) and also submitted a copy of the same as proof to the Commission. He also states that no information has been given to him by the respondent PIO till date despite the fact that the above-said copy has been sent to the office of respondent office.

Neither the respondent PIO nor any of his representative is present in today's hearing, moreover, he has also not sent any document, showing that the requisite information has been supplied to the appellant, which reflects that he is trying to delay in supplying the required information to the information-seeker. The Commission took a serious view of this casual approach of the respondent PIO.

In view of the above, a show cause notice under Section 20 (1) of the RTI Act is issued to Public Information Officer concerned of office of Block Development and Panchayat Officer, Block Khuia Sarwar at Abohar, as to why penalty be not imposed upon him for willful delay/denial in supplying the information to the RTI applicant and why the compensation be not awarded to the information-seeker under the provisions of the RTI Act, 2005.

He may note that in case he does not file his submission and does not avail himself of the opportunity of personal hearing on the next date fixed in the office of State Information Commission, Punjab, Chandigarh, it will be presumed that he has nothing to say and the Commission shall proceed to take further proceedings against him ex-parte. A copy of this order be sent to him through registered post.

Last opportunity is given to the respondent PIO concerned to supply the certified copies of the required information to the appellant as per queries raised by him through RTI request, through registered post with a copy to the Commission by the next date of hearing

An opportunity is also given to the appellant to confirm whether he has received the information or not. He is also advised to point out deficiencies, if any, in the information supplied to him, in writing, to the respondent PIO so that the same could be removed by the respondent concerned.

Nevertheless, an opportunity is given to the respondent PIO concerned to bring a copy of the information (which was/would be already supplied to the appellant) with the relevant official record in the office of State Information Commission, Punjab before the bench of the undersigned on the next date of hearing fixed, failing which failing which penal action would be initiated against him under the provisions of the RTI Act.

A copy of this order be sent to Director, Rural Development and Panchayats, Punjab, S.A.S. Nagar(Mohali) and District Development and Panchayat Officer, Fazilka through registered post to ensure presence of the concerned PIO and compliance of the above said order.

The case is adjourned to 3rd August, 2022 (Wednesday) at 11:00 A. M. for hearing in Court Room office of State Information Commission, Punjab, Red Cross Building, Madhya Marg, Sector 16, Chandigarh.

Copies of the orders be sent to the parties.

Date 25th May, 2022

(Sanjiv Garg)
State Information Commissioner
Punjab

(Regd. Post)

The Director,
Rural Development and
Panchayats, Punjab,
Vikas Bhawan, Sector 62,
S.A.S. Nagar(Mohali) (Punjab)

(Regd. Post)

The District Development
and Panchayat Officer,
Fazilka(Punjab)

Shakti Bhushan
S/o Sh. Kewal krishan,
Gali Bhani Sahib, Ward - 08,
Dhanaula, Distt. – Barnala (Punjab)

....Appellant

V/s

Public Information Officer,
O/o The Motor Vehicle Registration Department,
O/o The Secretary,
Regional Transport Authority,
Faridkot (Punjab)

First Appellate Authority,
O/o The State Transport Commissioner, Punjab,
Sector 17, Chandigarh (Punjab)

...Respondents

Appeal Case No.1304 of 2019

Present : Sh. Shakti Bhushan, the appellant in person.
i) Ms. Kulwinder Kaur, Superintendent office of State Transport Commissioner, Punjab, Chandigarh ;
ii) Sh. Sanjeev Kumar, Junior Assistant office of Regional Transport Authority, Faridkot , on behalf of the respondent.

ORDER

Heard through facility of Software/application 'CISCO Webex Meetings'.

The RTI request is dated 08.11.2018. First appeal is dated 07.01.2019. Second appeal has been received in the Commission on 03.04.2019.

On the last date of hearing, held on 07.03.2022 ;

- i) Sh. Sanjeev Kumar, Junior Assistant, stated that the requisite information was supplied to the appellant.
- ii) Ms. Kulwinder Kaur, Superintendent office of State Transport Commissioner, Punjab, Chandigarh, intimated that Sh. Gurnam Singh the then PIO-cum-A.T.O. office of Regional Transport Authority, Faridkot is under suspension and Head Quarter is Regional Transport Authority, S. A. S. Nagar and a reply was sent to the Commission.
- iii) An opportunity is given to the respondent PIO concerned to bring a copy of the information (which was already supplied to the appellant) with other relevant official record in the office of State Information Commission, Punjab so that facts of this case could be cleared.

Sh. Sanjeev Kumar, Junior Assistant, who appeared on behalf of the respondent PIO in today's hearing, states that the requisite information has already been supplied to the appellant

The appellant, Sh. Shakti Bhushan, who appeared in person in today's hearing, states that the information supplied to him is un-satisfactory.

On this, Sh. Sanjeev Kumar , requests for an adjournment in this case.

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Nevertheless, another opportunity is given to the respondent PIO concerned to supply the certified copies of the remaining information to the appellant with a copy to the Commission and if any information, to any query/queries raised by the appellant through RTI request, is not available or not maintained in the official record, he/she (respondent-PIO concerned) will send a reply, in writing, to the particular query/queries, mentioning that no other information is in his possession other than provided and send the same to the appellant through registered post as well as to the Commission, by the next date of hearing.

An opportunity is also given to the appellant to confirm whether he has received the information/reply or not.

Ms. Kulwinder Kaur, Superintendent office of State Transport Commissioner, Punjab, Chandigarh, who appeared in today's hearing, intimates that Sh. Gurnam Singh the then PIO-cum-A.T.O. office of Regional Transport Authority, Faridkot is under suspension and Head Quarter is Regional Transport Authority, S. A. S. Nagar and a reply was sent to the Commission vide letter no. 3899 dated 04.03.2022 through an e-mail. It, alongwith annexure, is placed in the case-file.

Accordingly, a copy of this order be sent through registered post to Secretary, Regional Transport Authority, S. A. S. Nagar to ensure compliance of the order dated 04.12.2019 and 19.08.2020 passed by the Commission by paying penalty of Rs. 10,000/- (penalty already imposed Rs. 5000/- (vide orders dated 04.12.2019) + enhanced Rs. 5000/- (vide orders dated 19.08.2020) and send copy of supporting document/documents to the Commission, showing that penalty amount of Rs. 10,000/- which was imposed upon the concerned PIO has been deposited or deducted from the salary of the concerned PIO, to establish the fact that order of the Commission has been complied with, by the next date of hearing.

The concerned parties i. e. i) the appellant and PIOs of office of (ii) State Transport Commissioner, Punjab, Chandigarh iii) Secretary, Regional Transport Authority, Faridkot ; are directed to remain present during the proceedings of the instant appeal-case on the next date of hearing fixed in the office of State Information Commission, Punjab so that facts of this case could be cleared.

The Secretary, Regional Transport Authority, S. A. S. Nagar is advised to ensure presence of any official of his office on the next date fixed in the office of State Information Commission, Punjab.

The case is adjourned to 20th June, 2022 (Monday) at 11:00 A. M. for hearing in Court Room office of State Information Commission, Punjab, Red Cross Building, Madhya Marg, Sector 16, Chandigarh.

Copies of the orders be sent to the parties.

Date 25th May, 2022

(Regd. Post)

The Secretary,
Regional Transport Authority,
S. A. S. Nagar(Punjab)

(Sanjiv Garg)
State Information Commissioner
Punjab